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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,100	10/21/2002	Martin Philip Usher	11696.0054	1690

7590

12/21/2005

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EXAMINER

DOAN, KIET M

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,100

Applicant(s)

USHER ET AL.

Examiner

Kiet Doan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 9, 10, 12, 13, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 11 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is response to amendment file on 10/19/2005.

The previous office action indicated claims 17, 18 are allowed and claims 11 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The allowed and objection are stay in this instant office action.

Response to Arguments

Applicant's arguments with respect to publication is not prior art have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9-10, 12-13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zicker (Patent No. 6,314,286) in view of Rappaport et al. (Patent No. 6,477,373).

Consider **claims 9, 13 and 16**, Zicker teaches a method for facilitating telephone traffic between a fixed cellular network and a movable network aboard a vehicle (C4, L28-38, Fig.1, Illustrate ground station No.36 as fixed cellular network and No.30 as movable network aboard a vehicle), comprising: configuring a ground-based host node

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to forward incoming calls from the fixed cellular network to the a user through the moveable network, and to forward outgoing calls from the user (C3, L57-67, C4, L1-58 teach the ground station provide communication to subscriber/users). Zicker teaches the limitation of claim as discuss **but fail to teach** suspending, in response to a control signal, forwarding incoming calls to the user; wherein said suspending forwarding incoming calls does not disconnect a call in progress between the user and the fixed network.

In an analogous art, Rappaport teaches "Method and apparatus to maintain connectivity for mobile terminals in wireless and cellular communication". Further, Rappaport teaches suspending, in response to a control signal, forwarding incoming calls to the user; wherein said suspending forwarding incoming calls does not disconnect a call in progress between the user and the fixed network (Abstract, C2, L25-44, C5, L7-51 teach the suspend in short tern link disconnect wherein call does not disconnect).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Zicker and Rappaport system, such that telephone traffic between a fixed cellular network and a movable network aboard a vehicle and forward incoming calls from the fixed cellular network to the a user through the moveable network without disconnect call, to provide means for secure call and uninterrupted communication in moving traffic.

Consider **claim 10**, Zecker teaches the method wherein said configuring comprises registering routing information for a telecommunications device associated with the user aboard the vehicle (C9, L14-16, Fig.9, teach step 128 teach registering routing information for a telecommunications device associated with the user aboard the vehicle).

Consider **claim 12 and 15**, Rappaport teaches the method wherein said suspending incoming calls comprise de-registering the routing information (C5, L17-51, C9, L14-27).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hogg et al. (Patent No. 6,430,412)

Roux (Patent No. 6,754,489)

Rousseu et al. (Patent No. 6,889,042)

Armbruster et al. (patent No. 5,956,639)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan
Patent Examiner



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